



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG:CMF/AL
F.#2005R00248

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 15, 2011

By Hand Delivery & ECF

The Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joel Cacace
Criminal Docket No. 08-240 (S-7) (BMC)

Dear Judge Reyes:

Pursuant to the Court's Order, dated July 8, 2011, the government respectfully submits this letter in opposition to the defendant Joel Cacace's request to be "taken, forthwith, to a local area hospital for a complete evaluation, diagnosis and treatment plan." (Ltr. from Susan Kellman, Esq., to the Hon. Ramon E. Reyes, Jr., dated July 7, 2011).

The Metropolitan Detention Center ("MDC") has provided the government with an extensive history of the defendant's clinical examinations and medical treatment at the MDC since his incarceration there. In 2011 alone, for example, he has been seen at the clinic at least ten times (twice thus far in July 2011) and has been repeatedly examined and treated for the leg pain described in counsel's July 7, 2011 letter. Specifically, his right knee has been X-rayed and he has been treated with Gabapentin, among other drugs, to alleviate leg pain and neuropathy. The MDC has also issued the defendant ankle, knee and back braces, compression stockings to improve leg circulation, and a cane to assist him in walking.¹

¹ In addition to receiving treatment for his leg pain, the defendant has been treated for a wide variety of other ailments, including dermatological care for the removal of a skin lesion and prescriptions for a variety of ailments, such as high blood pressure, high cholesterol, gastric ailments and dental

Indeed, in a series of visits in May 2011, doctors found "marked improvement" and "improvement" in his various leg ailments, such as joint pain. In light of this extensive treatment history, counsel's description of the care available at the MDC as "non-existent" appears to be inaccurate and does not appear to merit the significant security risk posed by allowing this defendant - who is charged with the capital murder of a New York City Police Department officer and is currently serving a 20-year sentence for murdering a New York State judge - to be furloughed from the MDC to obtain outside medical care.

Thank you for your consideration of this letter.

Respectfully submitted,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: /s/ Cristina M. Posa
Elizabeth A. Geddes
Cristina M. Posa
Allon Lifshitz
Assistant U.S. Attorneys

cc: Clerk of the Court (RER) (by ECF)
Susan Kellman, Esq. (by ECF)

problems.